19 32

Department of [illegible]

OFFICE [illegible]

STATION [illegible]

No. [illegible]

Dated [illegible] - 3 - 33

South Kanara Collector's Office,

Camp: Kadaba, dated 18th January 1933.

From M. Pawne Esq, I.C.S.,

Collector of South Kanara

The Secretary to the Board,

Land Revenue & Settlement,

M a d r a s.

Assignment--Land--Conservation of tree-growth on non-kumaki areas--waiver of seigniorage--delegation of powers to subordinate officers--report.

In B.P.Routine No. 391 dated 26th January 1923, the power of waiving the seigniorage in cases of conservation of tree-growth in non-kumaki areas has been vested in the Collector and in B.P.L. Rev. No. 1803 Routine dated 28th July 1920 it is ordered that the land in such cases should be inspected by a Gazetted Officer. But as darkhasts for such lands are numerous it was not possible for the Divisional Officers to inspect all such cases and the district practice is that the inspection should be made by a Tahsildar or Dy. Tahsildar and only by the Divisional

Assignment Land (South Kanara) - Conservation of tree growth on non-Hindu Rivers Waters of Sea-ward

dated 193

~~Delegation of powers~~

Ref. 96-33-A5.

South Kanara Collector's Office,
Mangalore, 18th February 1933.

From

E. M. Gawne, Esquire, I.C.S.,
Collector of South Kanara

To

The Secretary to the Board,
Land Revenue and Settlement,
M a d r a s.

Sir,

Assignment - Land - (South Kanara) - Conservation of tree-growth on non-kumki areas - Waiver of seigniorage - Delegation of powers.

Ref B.P. Ref.No.515/33. dated 31st January 1933.

Copies of Board's Proceedings Nos.391 (Routine), dated 26.1.1923 and 1803 (Routine), dated 29.7.1920 and of Collector's letter Ref.6587-22-V5, dated 6.1.1923 on which B.P.391 (Routine) was passed are enclosed. ~~Copy of~~ Copy of Collector's letter Dis.No. 1821 D.Rev., dated 5.7.1920 on which B.P.No.1803 (Routine) was passed is not available, as it has been destroyed.

Your obedient servant,

K Ramachandra
21.2.33

For Collector.

KR
21.2.33

Proceedings of the Board of Revenue.

(Land Revenue)

B.P.L.R.No.1803 Routine, dated 29th July 1920.

M.E.Couchman, Esquire, I.C.S., Commissioner of Land Revenue.

Read the following:-

I.

Petition from C.Manjunath Kamath. Karkal taluk, South Kanara District, dated nil.

Board's Reference, No.B.972/20-1, dated 9th April 1920.

III.

Letter from the Collector of South Kanara, Dis.No.1514-D/ Revenue, dated 3rd June 1920.

IV.

Board's Reference, No.B.972/20-2, dated 28th June 1920.

V.

Letter from the Collector of South Kanara, Dis.No.1821/D. Rev., dated 5th July 1920.

---

penalised for having protected the growth on this piece ~~of~~ of land. This process is one which needs all possible ---- encouragement, as it increases the supply of leaf-manure, fuel and small timber and protects the country from denudation.

The Board, as at present constituted, considers that the land, in this case, should be inspected by a gazetted -- officer. If his inspection reveals the fact that the jungle growth thereon is decidedly superior to that on the adjacent unprotected land as alleged in Manjunatha Kamath's petition of 6th July 1918, the Board considers that the collection of the seigniorage may be waived in accordance with the principles stated above.

2. The petitioner is referred to the Collector for -- orders on his appeal petition to the Board.

(True Extract)

(Sd.) x x

23.2.33

For Collector.

23.2.33

Copy of letter Ref.No.6587-22-V5, dated 6th January 1923, from the Collector of South Kanara, to the Secretary to the Board, Land Revenue and Settlement, Madras.

B.P. No.1803 Routine, Land Revenue, dated 29.7.1920 - Forest growth - Conservation - Waiving of seigniorage - Instructions solicited.

In the above Board's Proceedings the Board has ruled that the collection of seigniorage on the protected "jungle growth" standing on the non-kumaki land when it is assigned on darkhast may be waived. My predecessor Mr. Ellis in his order dated 2nd April 1921 on the office note filed in Dis.No.1590-V1-20, dated 16th April 1921 (enclosed) has held that the above Board's ----- Proceedings applies also to protected valuable timber growth such as kiralbhogi hadies, apparently on the ground that Manjunatha Kamath's case on which the above Board's order was passed involved kiralbhogi tree growth also. But the expression jungle growth appears to have been used in the Board's Proceedings as including only small shrubs and other minor jungle growth useful for leaf manure, fuel and small timber as is clear from the wording of the first two sub-paragraphs of paragraph 1 of the B.P. Besides, the valuable timber growth standing on non-kumaki land though protected cannot be cut without a cutting permit under the Forest Rules. As the point is thus not free from doubt and as cases involving --- protected valuable timber growth are received by me for waiver of seigniorage, I solicit the Board's definite orders on the point.

(True Copy)

For Collector

23.2.33

23-2-23

Proceedings of the Board of Revenue

Land Revenue and Settlement.

Routine No.391, dated 26th January 1923.

M. E. Couchman Esq., I.C.S.,

Commissioner of Land Revenue.

Read again B.P.No.1803 Routine dated 29th July 1920.

Read letter from the Collector of South Kanara, Ref.No. 587-22-V5 dated 6th January 1923.

Resolution.

Trees - (South Kanara) - Waiving of the recovery of the value of valuable conserved timber growth - Collector's query - Orders passed.

The circular order dated 16-4-21 issued by Mr. Ellis the then Collector is correct.

When valuable timber exists on non-kumaki land and when it is apparent that from its superiority to the timber on the ------ surrounding waste, it has been conserved by the darkhastdar, the Collector may waive the seigniorage.

This does not mean that land covered by valuable timber -- should be given free of seigniorage in all cases. It can only be so given when the Collector is satisfied that it really owes - its existence to protection by the darkhastdar.

(True Extract)

(Sd.) S. Wadsworth,

Secretary.

Subject.

Assignment - Orange - South Kanara) -

Conservation of well - Growth in non-humid

areas - Waiver of seigniorage - Delegation

of powers - Collectors proposal - Abandoned

Assignment - Law (South Kanara) - Conservation of tree growth on non-Kumathi areas - Waiver of Seigniorage - Delegation powers to Subordinate Officers

B. 515/33

To AS (HR)

Please see the Collectors letter at pp. 1-2 ch

2. B.S.O. 15-14 lays down the procedure for the calculation and collection of tree-value while assigning assessed wastes containing trees the Range Inspector under the supervision of the Tahsildar

Rs 200/- the Collector's
sanction shd be obtained
The same procedure is applicable
to non-Municipal areas in
South Kanara containing
trees not conserved by the
assignees. When the trees are
conserved the power of
the Reigning Chief
Collector vice Section 4 of B.P. 391 Rent bill

is that the inspection is done only if the value of the tree growth is considerable. The rule has to be deviated in Darkhast cases have become numerous presumably because of the policy of the Govt to dispose of rural and non-rural areas. Under the Darkhast rules the object of making the Rev. Dist. officers to inspect all cases of conservation of tree growth seems to be that a tree-inspection and enquiry by a responsible officer will secure a correct decision, whether the tree-growth has been really conserved by the assignees. In this work has been entrusted to the Talathis. To a certain extent there seems to be no objection to approve the Collec

proposal contained in the concluding sentence of para. 2 of this letter for orders

Get copies of the 2 B.Rs quoted by the Collector and of the lists of the Collects in which they were passed.

the Tahsildars to waive seigniorage up to Rs 25/ and Divisional officers upto Rs 100 in the cases of conservation of tree-growth in non-Kumaki areas may be approved. ~~It may be provided that the waiver should be in accordance with the principles laid down~~ In B.P. No 1803 Rt. A/29.7.20, the Board directed that the land should be inspected by a Gazetted Officer only in the particular case disposed of in it. The district practice referred to in para 1 of the Coll's letter at p1 c is not, therefore, at variance with the B.S as regards inspection of minor jungle growth.

The Coll's proposal may be allowed.

Seth
23/3/33

S